

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JEROME HARDENE',)	
)	
Plaintiff,)	
)	
v.)	No. 4:22-CV-01229-AGF
)	
ST. LOUIS PUBLIC LIBRARY, et al.,)	
)	
Defendants.)	
)	

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's pro se Motion for Allocation of Expenses for Stenographic Reporting. ECF No. 65. Plaintiff requests that the Court provide a court stenographer and allocate the cost of the stenographic recording of Plaintiff's noticed deposition of Justin Struttman, Defendant St. Louis Public Library's Chief Operating Officer. Plaintiff also requests that the Court order that a conference room be made available to him at the Thomas Eagleton Courthouse, 111 S. 10th St., St. Louis, MO 63102 for the deposition of Mr. Struttman. Defendant opposes Plaintiff's request for allocation of costs of the stenographer. ECF No. 66.

On July 30, 2024, Plaintiff noticed his intent to take Mr. Struttman's deposition on August 6, 2024, at 10:30 a.m. at the Thomas Eagleton Courthouse. ECF No. 65-1. In the notice, Plaintiff indicates that the deposition will be recorded by stenographic means. Plaintiff asks the Court to provide a stenographer for this deposition at no cost to him because he is indigent.


Federal Rule of Civil Procedure 30(b)(3)(A) states, in relevant part, that “[t]he noticing party bears the recording costs [of a noticed deposition].” *See also Milton v. Buffalo Eng’g, P.C.*, No. 03 CV 472, 2004 WL 1179336, at *1 (W.D.N.Y. May 27, 2004) (“Under Federal Rule of Civil Procedure 30(b)(2), the party conducting the deposition bears the costs of the examination.”). “There also is no authority for the Court to prepay an *in forma pauperis* party’s discovery costs.” *Id.* Plaintiff must therefore bear the cost of recording his deposition, including by a stenographer. It is also Plaintiff’s responsibility to locate and hire a stenographer to record the deposition; the Court has no responsibility to arrange a court reporter for a civil party. Plaintiff’s requests to order a court stenographer to appear to record the deposition and for allocation of the cost of the stenographer will be denied.

Defendant does not appear to oppose the noticed time or location for Mr. Struttman’s deposition. In the interest of expediting the completion of discovery in this matter, the Court will grant Plaintiff’s request to provide a location at the Thomas Eagleton Courthouse for Plaintiff to conduct the deposition of Mr. Struttman. The Court has reserved a location in the Courthouse for Plaintiff to conduct the deposition, the specifics of which are related below.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Allocation of Expenses for Stenographic Reporting (ECF No. 65) is **GRANTED in part** and **DENIED in part**. If Plaintiff wishes to record the deposition via a stenographer, Plaintiff is responsible for locating and hiring that stenographer and for paying the fees associated with the stenographer's recording.

IT IS FURTHER ORDERED that Plaintiff's deposition of Justin Struttman, Chief Operating Officer of the St. Louis Public Library, noticed for August 6, 2024, at 10:30 a.m. will take place at the Thomas Eagleton Courthouse, 111 S. 10th St., St. Louis, MO 63102 on the Third Floor in the 3N Attorney/Client Witness Room.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 2nd day of August, 2024.